

1 Ben West, Nevada State Bar No. 8306
2 Michelle A. Herrera, (admitted *pro hac vice*)
3 LUCE, FORWARD, HAMILTON & SCRIPPS LLP
4 600 West Broadway, Suite 2600
5 San Diego, California 92101-3372
6 Telephone No.: 619.236.1414
7 Fax No.: 619.744.3692

8 Attorneys for Defendant Callaway Golf Company

9

10

UNITED STATES DISTRICT COURT

11

DISTRICT OF NEVADA

12

CORPORATE TRADE, INC., a Nevada
corporation,

Case No. 2:10-cv-01627-JCM-VCF

13

Plaintiff,

14

v.

15

CALLAWAY GOLF COMPANY, a Delaware
corporation, et al.

**JOINT MOTION FOR VOLUNTARY
DISMISSAL OF ACTION WITH
PREJUDICE; AND ORDER THEREON**

16

Defendants.

17

Plaintiff Corporate Trade Inc. and Defendant Callaway Golf Company, by and through their respective counsel, hereby jointly move, pursuant to Federal Rule of Civil Procedure 41, for dismissal of Plaintiff's action against Defendant with prejudice. Each party shall bear their own attorneys' fees and costs.

21

DATED: January 23, 2012

GAMAGE & GAMAGE

22

23

By: /s/William H. Gamage
William H. Gamage
Attorneys for Plaintiff

25

DATED: January 23, 2012

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

26

27

By: /s/Ben West
Ben West
Attorneys for Defendant Callaway Golf Company

ORDER

2 Based on the Joint Motion of Plaintiff Corporate Trade Inc. and Defendant Callaway Golf
3 Company, and good cause appearing,

4 IT IS HEREBY ORDERED that the above-captioned action is hereby dismissed with
5 prejudice pursuant to Federal Rule of Civil Procedure 41, and each party shall bear their own
6 attorneys' fees and costs. .

7 IT IS SO ORDERED.

9 DATED: February 1, 2012

James C. Mahan
James C. Mahan
United States District Court Judge

12 | 101764678.1

1 Ben West, Nevada State Bar No. 8306
2 Michelle A. Herrera, (*pro hac vice application to be submitted*)
2 LUCE, FORWARD, HAMILTON & SCRIPPS LLP
3 600 West Broadway, Suite 2600
3 San Diego, California 92101-3372
4 Telephone No.: 619.236.1414
4 Fax No.: 619.744.3692

5 Attorneys for Defendant CALLAWAY GOLF COMPANY

6

7

8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 CORPORATE TRADE, INC., a Nevada
11 corporation,

12 Plaintiff,

13 v.

14 CALLAWAY GOLF COMPANY, a Delaware
15 corporation, et al.

16 Defendants.

Case No. 2:10-cv-01627-JCM-VCF

17 **CERTIFICATE OF SERVICE**

18 I declare as follows:

19 I am an attorney with the firm of Luce, Forward, Hamilton & Scripps LLP, whose address is
20 600 West Broadway, Suite 2600, San Diego, California 92101-3372. I am a member of the bar of this
court, over the age of eighteen years and not a party to this action.

21 On January 23, 2012, I caused the following to be served:

22 **JOINT MOTION FOR VOLUNTARY DISMISSAL OF ACTION WITH
23 PREJUDICE; AND ORDER THEREON**

24 **Electronic Mail Notice List**

25 The following are those who are currently on the list to receive e-mail notices for this case:

26 William H. Gamage, wgamage@gamagelaw.com

27 Amy M Gamage, agamage@gamagelaw.com

28 Ben West, bwest@luce.com, lbbitting@luce.com

1 Michelle Herrera, mherrera@luce.com, lbitting@luce.com
2

3 **Manual Notice List**

4 The following is the list of attorneys who are **not** on the list to receive e-mail notices for this
5 case (who therefore require manual noticing).

6 (No manual notice recipients).

7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct and that this declaration was executed at San Diego, California on
9 January 23, 2012.

10

11

12 By: /s/Ben West

13 Attorneys for Defendant
14 CALLAWAY GOLF COMPANY

15

16 101439932.1

17

18

19

20

21

22

23

24

25

26

27

28